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# 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/MC.II/1
5 May 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

## REPORT OF MAIN COMMITTEE II

### Establishment and terms of reference

1. Under rule 34 of its rules of procedure as provisionally applied, the Conference established Main Committee II as one of its three Main Committees and decided to allocate to it the following items for its consideration (see NPT/CONF.1995/1):

Item 16. Review of the operation of the Treaty as provided for in its article VIII, paragraph 3:

(c) Implementation of the provisions of the Treaty relating to non-proliferation of nuclear weapons, safeguards and nuclear-weapon-free zones:

(i) Article III and preambular paragraphs 4 and 5, especially in their relationship to article IV and preambular paragraphs 6 and 7;

(ii) Articles I and II and preambular paragraphs 1 to 3 in their relationship to articles III and IV;

(iii) Article VII;

(e) Other provisions of the Treaty.

Item 17. Role of the Treaty in the promotion of non-proliferation of nuclear weapons and of nuclear disarmament in strengthening international peace and security and measures aimed at promoting wider acceptance of the Treaty.

### Officers of the Committee

2. The Conference unanimously elected Mr. André Erdös (Hungary) as the Chairman of the Committee and Mr. Enrique J. de la Torre (Argentina) and Mr. Rajal Sukayri (Jordan) as Vice-Chairmen of the Committee.

### Documents before the Committee

3. The Committee had before it the following documents:

(a) Background documents

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| NPT/CONF.1995/5 and Corr.1 | Implementation of article VII of the Treaty |
| NPT/CONF.1995/7/Part I | Activities of IAEA relevant to article III of the Treaty |
| NPT/CONF.1995/7/Part II | Other activities relevant to article III |
| NPT/CONF.1995/8 | Activities of IAEA relevant to article IV of the Treaty |
| NPT/CONF.1995/10 and Add.1 | Memorandum from the General Secretariat of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean prepared for the Conference |
| NPT/CONF.1995/11 | South Pacific Nuclear-Free-Zone Treaty |
| NPT/CONF.1995/14 | Letter dated 27 March 1995 from the Permanent Representative of Indonesia addressed to the provisional Secretary-General of the Conference (previously issued as NPT/CONF.1995/PC.III/13) |
| NPT/CONF.1995/17 | Letter dated 10 April 1995 from the Deputy Director of the United States Arms Control and Disarmament Agency addressed to the provisional Secretary-General of the Conference |
| NPT/CONF.1995/18 | Letter dated 17 April 1995 from the representative of China to the United Nations and deputy head of the Chinese delegation addressed to the Secretary-General of the Conference |
| NPT/CONF.1995/19 | Letter dated 17 April 1995 from the alternate head of the Indonesian delegation addressed to the Secretary-General of the Conference |
| NPT/CONF.1995/20 | Letter dated 17 April 1995 from the representatives of France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America addressed to the Secretary-General of the Conference |

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| NPT/CONF.1995/21 and Corr.1 | Multilateral nuclear supply principles: working paper submitted by Australia, Austria, Belgium, Bulgaria, Canada, the Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Luxembourg, the Netherlands, Norway, Poland, Portugal, Romania, the Russian Federation, the Slovak Republic, South Africa, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America as members of the Zangger Committee |
| NPT/CONF.1995/24 | Letter dated 21 April 1995 from the head of the delegation of the United Kingdom of Great Britain and Northern Ireland addressed to the Secretary-General of the Conference |
| NPT/CONF.1995/25 | Note verbale dated 24 April 1995 from the delegation of the Russian Federation addressed to the Secretary-General of the Conference |
| NPT/CONF.1995/26 | Letter dated 25 April 1995 from the Permanent Representative of China to the United Nations and deputy head of the Chinese delegation addressed to the Secretary-General of the Conference |

(b) Documents submitted to and introduced in Main Committee II

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| NPT/CONF.1995/MC.II/WP.1 | Article III - introduction: working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden |
| NPT/CONF.1995/MC.II/WP.2 | Article III - safeguards: working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden |
| NPT/CONF.1995/MC.II/WP.3 | Article III - state systems of accounting and control: working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden |

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| NPT/CONF.1995/MC.II/WP.4 | Article III - financing of safeguards: working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden |
| NPT/CONF.1995/MC.II/WP.5 | Article III - safeguards in nuclear-weapon States: working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden |
| NPT/CONF.1995/MC.II/WP.6 | Article III - IAEA inspectors: working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden |
| NPT/CONF.1995/MC.II/WP.7 | Article III - export licensing: working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden |
| NPT/CONF.1995/MC.II/WP.8 | Article III - physical protection: working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden |
| NPT/CONF.1995/MC.II/WP.9 | Article III - plutonium: working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden |
| NPT/CONF.1995/MC.II/WP.10 | Prevention of nuclear-weapon proliferation, nuclear safeguards and nuclear-weapon-free zones: working paper submitted by China |
| NPT/CONF.1995/MC.II/WP.11 | Article III - IAEA safeguards, including special inspections and preventing clandestine nuclear weapon programmes: working paper submitted by Romania |
| NPT/CONF.1995/MC.II/WP.12 | Article III - export licensing: working paper submitted by Romania |
| NPT/CONF.1995/MC.II/WP.13 | Article VII - nuclear-weapon-free zones: working paper submitted by Egypt |

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| NPT/CONF.1995/MC.II/WP.14 | Article VII - South East Asia nuclear-weapon-free zones: working paper submitted by Brunei Darussalam, Indonesia, Malaysia, the Philippines, Singapore and Thailand |
| NPT/CONF.1995/MC.II/WP.15 and Add.1 | Article III - conditions of nuclear supply (full-scope safeguards): working paper submitted by Argentina, Armenia, Australia, Austria, Belgium, Brunei Darussalam, Cambodia, Canada, Croatia, the Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Indonesia, Ireland, Japan, the Republic of Korea, Kyrgyzstan, Malaysia, the Netherlands, New Zealand, Nigeria, Norway, Peru, the Philippines, Poland, Romania, Samoa, Singapore, Slovakia, South Africa, Sri Lanka, Sweden and Thailand |
| NPT/CONF.1995/MC.II/WP.16 | Article VII - nuclear-weapon-free zones: working paper submitted by Argentina, Australia, Bolivia, Fiji, Mexico, New Zealand, Nigeria, Peru, Samoa, Solomon Islands and South Africa |
| NPT/CONF.1995/MC.II/WP.17 | Article VII - nuclear-weapon-free zone in Central Asia: working paper submitted by Kyrgyzstan |
| NPT/CONF.1995/MC.II/WP.18 | Articles III and VII - nuclear safeguards, nuclear-weapon-free zones and export control, working paper submitted by the Movement of Non-Aligned Countries |

(c) Conference room papers

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| NPT/CONF.1995/MC.II/CRP.1 | Schedule of the meetings of Committee II |
| NPT/CONF.1995/MC.II/CRP.2 | Chairman's proposal for a possible structure of discussion |
| NPT/CONF.1995/MC.II/CRP.3 | Copies of the transparencies on strengthening the effectiveness and improving the efficiency of the IAEA safeguards system as presented by Richard Hooper (IAEA), on 21 April 1995 |

Work of the Committee

4. The Committee held 10 meetings, from 19 April to 5 May 1995; an account of the discussion is contained in the relevant summary records (NPT/CONF.1995/MC.II/SR.1-10). The Committee also held informal consultations

during that period. The Chairman of the Committee was assisted by the Vice-Chairmen in coordinating the informal consultations convened to examine various proposals and documents submitted to the Committee. After an item-by-item consideration of the agenda items allocated to it, the Committee, at both its formal and informal meetings, proceeded to a detailed discussion of the proposals and documents before it; the results of the discussions are outlined in paragraph 6 below. The various views expressed and proposals made are reflected in the summary records of the Committee and in the working papers submitted to it. Those summary records and working papers form an integral part of the report of the Committee to the Conference. In addition, at its second meeting, the Committee invited Mr. R. Hooper of IAEA to make a presentation on the subject of strengthening the effectiveness and improving the efficiency of the IAEA safeguards system.

5. The Committee established a working group to consider the proposals related to nuclear-weapon-free zones, which was chaired by Mr. de la Torre (Argentina). The text on article VII was considered in a working group of Main Committees I and II. The Committee also established a drafting group to draft the text concerning export control and related matters which was chaired by Mr. Phillip MacKinnon (Canada).

Conclusions and recommendations

6. The Committee agreed on the following formulations for the Final Document of the Conference:

A. Review of Article III

1. The Conference recalls the generally positive assessment of the previous Review Conferences of the implementation of article III, and notes that recommendations at those Conferences for the future implementation of that article provide a helpful basis for States parties to the Treaty on the Non-Proliferation of Nuclear Weapons and the International Atomic Energy Agency (IAEA) to strengthen the barriers to proliferation and provide assurance of compliance with non-proliferation undertakings.

2. The Conference recognizes that the IAEA safeguards are an important integral part of the international regime for non-proliferation and play an indispensable role in ensuring the implementation of the Treaty. For this reason, it calls on all States parties to give their full and continuing support to the IAEA safeguards system.

3. The Conference affirms its determination to strengthen further the barriers to proliferation of nuclear weapons and other nuclear explosive devices and recalls the statement of 31 January 1992 by the President of the United Nations Security Council that reinforces the message that nuclear proliferation is a major threat to international peace and security, and that fully effective IAEA safeguards play an integral role in the implementation of the Treaty. The Conference emphasizes the importance of access to the Security Council by the Director General of IAEA and the vital role of the Council in upholding compliance with IAEA safeguards

agreements and ensuring compliance with safeguards obligations by taking appropriate measures in the case of any violations notified to it by IAEA.

4. The Conference reaffirms that the non-proliferation Treaty is vital to preventing the spread of nuclear weapons and in providing significant security benefits. The parties remain convinced that universal adherence to the Treaty and full compliance with its provisions is indispensable to achieve this goal and they urge all States not parties to the Treaty to accede to it and conclude and bring into force comprehensive safeguards agreements with IAEA, as required by article III of the Treaty. It further affirms that full adherence to non-proliferation and safeguards commitments by all States parties helps to create an environment conducive to nuclear disarmament.

5. The Conference reaffirms the importance of both the safeguards system and the legitimate right of States parties to the benefits of the peaceful uses of nuclear energy, with particular attention to the needs of developing countries. It also reaffirms that the safeguards required by article III shall be implemented in a manner designed to comply with article IV and to avoid hampering the economic or technological development of the parties as well as international cooperation in the field of peaceful nuclear activities, including the international exchange of nuclear material and equipment for the processing, use or production of nuclear material for peaceful purposes in accordance with the provisions of article III and the principle of safeguards set forth in the preamble to the Treaty.

6. The Conference reaffirms that each State party to the Treaty has undertaken not to provide source or special fissionable material, or equipment or material especially designed or prepared for the processing, use or production of special fissionable material, to any non-nuclear-weapon State for peaceful purposes, unless the source or special fissionable material shall be subject to the safeguards required by article III.

7. The Conference reaffirms the conviction that IAEA safeguards provide assurance that States are complying with their undertakings and assist States in demonstrating this compliance. IAEA safeguards thereby promote further confidence among States and, being a fundamental element of the Treaty, help to strengthen their collective security. Such safeguards play a key role in preventing the proliferation of nuclear weapons and other nuclear explosive devices.

8. The Conference stresses that the non-proliferation and safeguards commitments in the Treaty are essential also for peaceful nuclear commerce and cooperation and that IAEA [full-scope] safeguards make a vital contribution to the environment for peaceful nuclear development and international cooperation in the peaceful uses of nuclear energy and are also a condition of supply of nuclear material and technology.

9. The Conference notes with satisfaction that, since the last Review Conference, with two regrettable exceptions caused by non-compliance with

the Treaty by two States parties, IAEA has continued to provide States parties with assurance that nuclear material subject to its safeguards agreements had not been diverted to nuclear weapons or other nuclear explosive devices. The Conference commends the Agency on its efforts and notes that its activities had not hampered and should not hamper the use of nuclear energy for peaceful purposes in States parties.

10. [The Conference notes further that, in the case of Iraq, the Security Council took remedial action by resolutions 687 (1991) 707 (1991) and 715 (1991). The Conference commends IAEA for its efficient execution of the tasks requested by the Security Council, which has resulted in the identification, destruction, removal or rendering harmless of Iraq's past nuclear programme and the implementation of the ongoing monitoring and verification plan which has been operational since August 1994. The Conference stresses the need for Iraq to continue its cooperation fully with the Agency in achieving the complete and long-term implementation of the relevant Security Council resolutions.]

11. [The Conference notes the fact that the Democratic People's Republic of Korea has decided to remain in the Treaty and looks forward to that State's fulfilling its stated intention to come into full compliance with the IAEA-Democratic People's Republic of Korea Safeguards Agreement (INFCIRC/403) under the Treaty, which remains binding and in force. The Conference requests IAEA to take all steps it may deem necessary, following consultation between IAEA and the Democratic People's Republic of Korea with regard to verifying the correctness and completeness of the initial report of that State on all nuclear material in that country, to verify full compliance of the Democratic People's Republic of Korea with the IAEA-Democratic People's Republic of Korea Safeguards Agreement. The Conference requests that IAEA continue to report to the Security Council and to its Board of Governors on the implementation of INFCIRC/403 until the Democratic People's Republic of Korea has come into full compliance with that Agreement and that it also report on its activities related to monitoring that freeze of specified facilities in that country. The Conference notes that monitoring this freeze falls within the scope of the IAEA-Democratic People's Republic of Korea Safeguards Agreement.]

12. The Conference reiterates the call for universal adherence to the Treaty and the application of IAEA full-scope safeguards to all peaceful nuclear activities in all States parties in accordance with the provisions of the Treaty. The Conference notes with satisfaction that 18 States parties have concluded safeguards agreements in compliance with article III, paragraph 4, of the Treaty since 1990. It has expressed its concern that unsafeguarded ambiguous nuclear activities in some States not parties to the Treaty hold serious proliferation dangers and increase the threat perception of States parties to the Treaty. It also expresses concern, however, that 68 States parties to the Treaty have yet to conclude their agreements and urges that they do so and bring those agreements into force as soon as possible. It calls on those States parties that have not yet done so to complete the negotiation of subsidiary arrangements with IAEA. It also calls on all States not parties to the Treaty with

significant nuclear programmes to submit all their nuclear activities, both current and future, to the IAEA full-scope safeguards regime.

13. The Conference notes that, in the case of States without significant nuclear activities, conclusion of safeguards agreements involves simplified procedures. The Conference recommends that the Director General continue his efforts, as a matter of priority, to further facilitate and assist States parties in the conclusion and entry into force of such agreements. The Conference encourages bilateral assistance by States parties in particular regions to complement the ongoing efforts of IAEA.

14. The Conference commends IAEA on its implementation of safeguards pursuant to the Treaty, particularly in the light of the significant increases in the nuclear material, facilities and agreements involved. The Conference welcomes the continued efforts to improve safeguards effectiveness and efficiency. The Conference notes the new safeguard approaches being studied and implemented by IAEA and commends the Agency for its work in Programme 93+2, in particular its identification of a range of measures for strengthening the effectiveness and improving the efficiency of safeguards. In this regard the Conference encourages continued work by the Agency in further developing these approaches, and emphasizes that this process should be objective and non-discriminatory.

15. The Conference recognizes that a non-nuclear-weapon State party's obligation under article III, paragraph 1, of the Treaty to accept safeguards on all source or special fissionable material in all peaceful nuclear activities requires measures to ensure that safeguards are applied to all source or special fissionable material. This is reflected in paragraph 2 of document INFCIRC/153 on Treaty safeguards agreements, which provides for the right and obligation of IAEA to ensure that safeguards will be applied in accordance with the terms of the agreement on all source or special fissionable material in all peaceful nuclear activities. Accordingly, the Conference considers that the implementation of comprehensive safeguards agreements should be designed to provide for verification by the Agency of the correctness and completeness of a State's declaration, so that there is credible assurance of the non-diversion of nuclear material from declared activities and of the absence of undeclared nuclear activities in accordance with article III, paragraph 1, of the Treaty.

16. The Conference welcomes the outcome of the March 1995 meeting of the IAEA Board of Governors and endorses the general direction of Programme 93+2 for a strengthened and cost-effective safeguards system and, in that respect, calls on all States for their continued support. The Conference also endorses the intention of the Agency to consider to what extent measures proposed for strengthening comprehensive safeguards agreements may usefully be applied to item-specific safeguards agreements and to voluntary offer safeguards agreements with nuclear-weapon States. The Conference expresses the hope that the additional costs of measures to strengthen the Agency safeguards system can be offset by reductions in certain routine inspection activities that do not diminish their effectiveness.

17. The Conference emphasizes that under comprehensive safeguards agreements States parties and IAEA have an obligation to cooperate fully at all times to facilitate the implementation of those agreements, so that safeguards can remain effective in all circumstances. The Conference emphasizes that further strengthening of the IAEA safeguards system is an essential element in enhancing verification under the Treaty. The Conference notes that a strengthened safeguards system will benefit from technological developments and calls for greater access for IAEA to relevant information and greater physical access to relevant sites under agreed arrangements.

18. The Conference urges IAEA to proceed expeditiously with consideration and decision on all aspects of Programme 93+2. The Conference invites all parties to the Treaty to implement measures approved or to be approved by the IAEA Board of Governors aimed at strengthening Agency safeguards and thereby improving the effectiveness and efficiency of those safeguards.

19. The Conference recommends that in the event of questions arising about the commitment to the non-proliferation objectives of the Treaty of any State party and to its legal obligations under Agency safeguards, and in particular about the safeguards coverage of its source or fissionable materials, appropriate steps be taken by IAEA and by that State party, in accordance with the Treaty and the safeguards agreement between them, to help restore confidence. The Conference reaffirms that IAEA should take full advantage of its rights, including the use of special inspections in conformity with paragraphs 73 and 77 of INFCIRC/153.

20. The Conference emphasizes that transparency with respect to national nuclear policies and programmes is an essential ingredient in the effectiveness of safeguards under the Treaty. The Conference requests that further effort be made by the Agency to improve the transparency of presentation of the results of its safeguards activities.

21. The Conference recognizes the role of IAEA as the sole body responsible for verifying, in accordance with the statute of IAEA and the Agency's safeguards system, compliance with its safeguards agreements with States parties undertaken in fulfilment of their obligations under article III, paragraph 1, of the Treaty, with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices. It is the conviction of the Conference that nothing should be done to undermine the authority of IAEA in this regard. States parties that have concerns regarding non-compliance with the safeguards agreements of the Treaty by the States parties should direct such concerns, together with supporting evidence and information, to IAEA so that it may consider, investigate, draw conclusions and decide on necessary actions in accordance with its mandate. [States parties conclusions and actions shall by no means affect or undermine the rights and obligations of the States parties as stipulated in the Treaty.]

22. The Conference reaffirms its conviction that all parties to the Treaty are entitled to participate in the fullest possible exchange of scientific information for, and to contribute alone or in cooperation with other

States to, the further development of the application of atomic energy for peaceful purposes. In that regard, nothing in the Treaty, including in article III, shall be interpreted as affecting the inalienable right of all the parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II of the Treaty. Improvement of the effectiveness and efficiency of the safeguard system has not and should not, therefore, hamper the promotion of the peaceful uses of nuclear energy and should accord full respect of the legitimate rights and interests of States parties.

23. The Conference emphasizes the importance of maintaining IAEA staff of the highest professional standard, with due regard to the call for an increase in the number of safeguards inspectors from developing countries, in order to have the widest geographical distribution possible. It welcomes the improvement in this situation since the last Review Conference, and notes with satisfaction the Agency's efforts to overcome this problem.

24. The Conference calls for increased cooperation by all States concerned in removing remaining restrictions by responding more quickly to IAEA designation proposals for Agency inspectors, including, where possible the implementation of procedures to improve the efficiency of safeguards inspections as outlined by the Agency, such as cooperating with the Agency on visa requirements, accepting IAEA staff members approved in the Board of Governors for inspection activities, and permitting inspectors to use independent means of communication during inspection activities for the purpose of facilitating the conduct of their inspection activities.

25. The Conference calls for the wider application of safeguards to peaceful nuclear facilities in the nuclear-weapon States under the relevant voluntary offer safeguards agreements in the most economic and practical way possible, taking into account the availability of IAEA resources. The Conference welcomes and supports the steps taken by nuclear-weapon States to ensure the transparency and irreversibility of nuclear arms reductions, including the recent unilateral offer to place excess fissile material under IAEA safeguards.

26. The Conference also calls for further progress towards the separation of the peaceful and military nuclear facilities in the nuclear-weapon States. It affirms the importance of ensuring that nuclear material supplies delivered to them for peaceful purposes will not be used for nuclear weapons or other nuclear explosive devices. The Conference believes that such nuclear material supplies for peaceful purposes should be subject to relevant safeguards agreements concluded between the nuclear-weapon States and IAEA. The Conference recognizes the value of the voluntary offer safeguards agreements of the five nuclear-weapon States in strengthening the non-proliferation regime.

27. The Conference notes the financial constraints under which the IAEA safeguards system has had to function and calls upon all parties to continue their political, technical and financial support of the IAEA

safeguards system in order to ensure that IAEA is able to meet its international legal obligations pursuant to safeguards agreements under the Treaty, and its increasing safeguards responsibilities. The Conference requests IAEA to continue to identify the resources needed to meet effectively and efficiently all of its safeguards responsibilities. It strongly urges all States to ensure that the Agency's budget provides those resources through assured regular financing and calls on the members of IAEA to increase their efforts to find an equitable and lasting solution to the question of a safeguards financing formula.

28. The Conference encourages and welcomes significant contributions by States parties to the safeguards development programme by facilitating and assisting the application of safeguards and in supporting research and development to strengthen and advance the application of effective and efficient safeguards. The Conference strongly urges that such cooperation and support continue. The Conference calls upon additional States to extend their cooperation and support to IAEA.

29. The Conference recognizes the importance of State or regional systems of accounting and control, and of the cooperation between those systems and IAEA, to the efficient and effective application of IAEA safeguards. In this regard it welcomes the implementation of the New Partnership Approach developed by IAEA and the European Atomic Energy Community (Euratom), which enables both institutions to benefit to the fullest extent possible from their lengthy experience. The Conference also welcomes the quadripartite comprehensive safeguards agreement between IAEA, Brazil, Argentina and the Brazilian-Argentine Agency for Accounting for and Control of Nuclear Materials (ABACC) as a positive development and the creation of ABACC as an important addition to such systems.

30. The Conference recognizes the importance of such collaboration for the continuing work on developing new or modified safeguards approaches. The Conference notes that further efforts are being made to strengthen the cooperation and enhance the cost-effectiveness of the Agency's safeguards in the States of the European Union and elsewhere. It urges intensified and widened collaboration between States and IAEA and among States with regard to the establishment of new or improved State or regional systems and in training programmes.

31. The Conference calls upon all States, when planning their national programmes for the peaceful utilization of nuclear energy, to do so consistent with the main objectives of non-proliferation, in particular to take IAEA safeguards and physical protection requirements into account while planning, designing and constructing new nuclear facilities and while modifying existing ones. The Conference encourages the continuing cooperation of States parties to ensure that future safeguarding of additional and more complex facilities can be undertaken effectively and efficiently.

32. The Conference recognizes the particular requirement for safeguards of unirradiated direct-use nuclear material and notes IAEA projections that the use of separated plutonium for peaceful purposes is expected to

increase over the next several years. The Conference welcomes the considerable work undertaken to ensure the continuing effectiveness of IAEA safeguards in relation to uranium enrichment, fuel reprocessing and handling and storage of separated plutonium. The Conference endorses continuing work of IAEA on further improving safeguards arrangements for large-scale commercial reprocessing facilities, for fuel handling and storage of separated plutonium and for uranium enrichment.

33. The Conference calls for greater transparency on matters relating to the management of plutonium and highly enriched uranium for civil purposes, including stock levels and their relations to national nuclear fuel cycles. The Conference notes the existence of substantial civil stocks of separated plutonium and recommends that all such stocks which are not already under international safeguards should be brought under such safeguards systems as soon as practicable. The Conference urges continued international examination of policy options concerning the management and use of stocks of plutonium and highly enriched uranium. This consideration could include, inter alia, arrangements for the deposit with IAEA, as envisaged in article XII.A of its statute, of plutonium and highly enriched uranium as an additional precaution against diversion of direct-use materials to nuclear weapons or other explosive devices as well as the possibility of regional fuel centres.

34. The Conference notes the paramount importance of effective physical protection of nuclear material, especially that usable for military purposes, and calls on States to maintain the highest standards of security and physical protection of nuclear materials. It expresses grave concern at instances of illicit trafficking of nuclear materials since the last Review Conference and notes the responsibility of all States to protect and ensure the security of such material. The Conference notes the need for strengthened international cooperation in physical protection and the prevention of illicit trafficking, and in this respect welcomes the work being conducted under the aegis of IAEA on this issue.

35. The Conference notes that the number of States that have acceded to the Convention on the Physical Protection of Nuclear Material has increased to 53. The Conference urges all States that have not done so to adhere to the Convention or other international instruments on physical protection of nuclear material at the earliest possible date. In the general context of physical protection, particular attention must be paid to unirradiated material of direct use.

36. The Conference recognizes the non-proliferation benefits of the conversion of civilian research reactors from high enriched uranium to low enriched uranium fuel and, when this is not feasible, of significant lowering of the level of enrichment, and welcomes the introduction of such conversions, where possible. It recommends further that international cooperation to facilitate such conversion be continued. The Conference recommends that States planning new civilian reactors avoid or minimize use of highly enriched uranium to the extent that this is feasible, taking into account technical, scientific and economic factors.

## B. Review of Article VII

37. The Conference recognizes the growing interest in utilizing the provisions of Article VII of the Treaty on the Non-Proliferation of Nuclear Weapons, which affirms the right of any group of States to conclude regional treaties in order to ensure the total absence of nuclear weapons in their respective territories.

38. The Conference reaffirms that the establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned, particularly in regions afflicted with conflicts, enhances regional and global peace and security and contributes to the ultimate objective of achieving a world entirely free of nuclear weapons. In the process of establishing such zones, the specific characteristics of each region should be taken into account. Such zones constitute an important disarmament measure which greatly strengthens the international non-proliferation regime in all its aspects. Nuclear-weapon-free zone treaties, especially those covering issues such as dumping of radioactive waste, contribute to the protection of the environment.

39. The Conference emphasizes the importance of concluding nuclear-weapon-free zone arrangements in accordance with the Charter of the United Nations and in conformity with international law and with internationally recognized principles, as stated in the Final Document of the first special session of the General Assembly devoted to disarmament.

40. The Conference recognizes that the cooperation of all the nuclear-weapon States is necessary for the creation and maximum effectiveness of treaty arrangements for establishing a nuclear-weapon-free-zone. The Conference calls on all nuclear-weapon States to respect the commitment which non-nuclear-weapon States parties to a treaty establishing a nuclear-weapon-free zone have made to keep their regions free of nuclear weapons. It further calls on them to support those regional treaties, to assist in the establishment of such zones and to give early consideration to signing of the relevant protocols once concluded, including undertakings to refrain from the use or threat of use of nuclear weapons against States parties to the treaty establishing the zone.

41. The Conference expresses its satisfaction at the adherence to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) by all the countries in the region, as well as to its Protocols I and II by all the countries concerned, which makes of Latin America and the Caribbean the first densely inhabited zone free of nuclear weapons.

42. The Conference notes with satisfaction the success of the South Pacific Nuclear Free Zone in reinforcing in the South Pacific region the global norm against nuclear weapons proliferation. It calls on those nuclear-weapon States that have not yet done so to give early consideration to signing the relevant protocols of the South Pacific Nuclear Free Zone Treaty.

43. The Conference commends the progress being made towards the conclusion of the treaty on an African nuclear-weapon-free zone, and urges all States in the region to take necessary steps for the implementation of the treaty when concluded. It further urges the nuclear-weapon States to consider adhering to the relevant protocols when called upon to do so.

[44. The Conference, recalling the recommendations for the establishment of a nuclear-weapon-free zone in the Middle East, consistent with paragraphs 60 to 63, and in particular paragraph 63 (d), of the final document of the tenth special session of the General Assembly, as well as [all relevant General Assembly resolutions, the last of which is] resolution 49/71, which was adopted by consensus on 15 December 1994, [and paragraph 14 of Security Council resolution 687 (1991)] and aware of the recent [positive] developments in the Middle East, considers that current circumstances [[are/could be] conducive to the [early/progress toward] establishment of a nuclear-weapon-free zone in the region of the Middle East, [should Israel adhere to Treaty and place all its nuclear activities under IAEA safeguards] on the basis of arrangements freely arrived at among the States of the region [through direct negotiations among them] within [the] [an] appropriate forum, [including the arms control and regional security working group of the Middle East peace process] and urges all States parties to the Treaty on the Non-Proliferation of Nuclear Weapons, in particular nuclear-weapon States [to exert every effort to ensure/to lend their strong support to achieve the establishment of the nuclear-weapon-free zone in the Middle East] that all States of the Middle East adhere to the Treaty and that the zone is established as a matter of priority.]

45. [The Conference urges all States of the region to take the practical and urgent steps required for the establishment of such a zone, and calls upon all of those States among them that have not done so, pending the establishment of the zone, in particular Israel, [bearing in mind that Israel is the only State which the Security Council, in resolution 487 (1981) called upon to place all its nuclear facilities under IAEA safeguards] which has a significant nuclear programme, to declare solemnly that they will refrain from developing, producing, testing or otherwise acquiring nuclear weapons and from permitting the stationing on their territories or territories under their control of nuclear weapons or nuclear explosive devices, and to adhere promptly to the Treaty on the Non-Proliferation of Nuclear Weapons; and to place all their nuclear activities under full-scope IAEA safeguards.]

46. The Conference recalls the proposal by Egypt to establish a zone free from weapons of mass destruction in the Middle East, and recognizes that the establishment of such a zone would constitute an important contribution towards the removal of threats to regional and international peace and security as enunciated by the Security Council in its declaration of 31 January 1992.

47. The Conference acknowledges the efforts of the ASEAN States to establish a South-East Asia nuclear-weapon-free zone, which has been endorsed by ASEAN States and other South-East Asian countries, and that the

ASEAN States emphasized, inter alia, their determination to intensify efforts for the early establishment of such a zone. The Conference endorses the view of the States of South-East Asia that progress towards the establishment of a nuclear-weapon-free zone, which conforms to generally recognized international principles of such a zone, will reinforce nuclear-weapon non-proliferation in the region in accordance with articles I, II and VII of the Treaty.

48. [The Conference welcomes the recent accession of a number of European States to the non-proliferation Treaty as non-nuclear-weapon States and takes note of the opinion expressed by Belarus that these developments might be conducive to creating a nuclear-weapon-free zone in Central Europe.]

49. The Conference takes note of the declaration of Mongolia of its territory as a nuclear-weapon-free zone.

50. The Conference takes note of the interest of Kyrgyzstan and Uzbekistan in creating a nuclear-weapon-free zone in central Asia and believes that it should contribute to peace, stability and security in the region. Kyrgyzstan and Uzbekistan will submit specific proposals in this regard and would welcome their consideration by other concerned States.

51. The Conference calls upon all States of the South-Asian region to cooperate on a priority basis in establishing a nuclear-weapon-free zone in the region, which would contribute significantly towards the enhancement of regional peace and security.

7. The two texts below are for possible consideration in the light of the Committee I discussions.

[The Conference also strongly supports negotiation of a fissile material cut-off convention.]

[The Conference notes that the conclusion of a cut-off convention, such as the Conference has called for, would result in the extension of safeguards to important facilities not currently safeguarded, both in nuclear-weapon States and States not parties to the Treaty.]

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